

12/06/01

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. EXT-070C1

First Named Inventor Weir *et al.*

Title Purification Devices Comprising Immobilized Capture Probes and Uses Therefor

## APPLICATION ELEMENTS

ADDRESS TO: Box Patent Application  
Commissioner for Patents  
Washington, D.C. 202311. ☒ Fee Transmittal Form2. ☒ Small Entity Status☒ Applicant claims small entity status☐ Status established in prior application and is still proper and desired3. ☒ Specification and Drawings [Total Pages 47]

- Written Description - (30 pages)

- Claims - (6 pages)

- Abstract - (1 page)

- Sheets of Drawings - (10 sheets)

☐ Formal☒ Informal4. ☒ Oath or Declaration [Total Pages 6]a. ☐ Newly executed (original)b. ☒ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

5. ☒ Incorporation by Reference (usable if Box 4b is checked)  
The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.6. ☒ Application Data Sheet7. ☒ Nucleotide and/or Amino Acid Sequence Submission☒ Computer Readable Form (CRF)☒ Paper Copy (identical to computer copy)☐ CD (2 copies) (identical to computer copy)☒ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)  
☐ Power of Attorney9. ☐ English Translation Document (if applicable)10. ☒ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations11. ☒ Preliminary Amendment  
☐ Drawings [Total Sheets ]12. ☒ Return Receipt Postcard (specifically itemized)13. ☐ Certified Copy of Priority Document(s) (if foreign priority claimed)14. ☐ Nonpublication Request Under 35 U.S.C. 122(b)15. ☐ CD in duplicate for large table or computer program16. ☒ Other: Copy of Petition and fee for Extension of Time in prior application.17. ☒ If a CONTINUING APPLICATION: Amend the specification by inserting on page 1, before the first line, the sentence:  
--This is a☒ continuation ☐ divisional ☐ continuation-in-part of prior application Serial No. 09/513,381, filed on February 25, 2000, the entire disclosure of which is incorporated by reference herein.--

Priority to the above application(s) is claimed under 35 U.S.C. 120.

Prior application information: Examiner: Sisson, B. Group/Art Unit: 1655.18. ☐ Priority - 35 U.S.C. 119☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_/\_\_\_\_\_ on \_\_\_\_\_.☐ The certified copy will follow.

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100  
Customer No. 021323

## SIGNATURE BLOCK

Date: December 6, 2001  
Reg. No. 41,418  
Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100Respectfully submitted,  
*Patrick R.H. Waller*  
Patrick R.H. Waller  
Agent for Applicant(s)  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

# FEE TRANSMITTAL

## FY 2002

Complete if Known

Application Serial Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Weir et al
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	EXT-070C1

## METHOD OF PAYMENT

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

## FEE CALCULATION

## 1. FILING FEE

Large Entity		Fee (\$)	Fee Description	Fee Paid
		740	Utility filing fee	740.00
		330	Design filing fee	
		160	Provisional filing fee	
	Number Filed	Number Extra	Rate	Amount
Total Claims	20	- 20 = 0	x \$ 18.00 =	0
Independent Claims	3	- 3 = 0	x \$ 84.00 =	0
<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$280.00 =	
TOTAL:				740.00
SMALL ENTITY DISCOUNT:				370.00
SUBTOTAL (1)				(\$) 370.00

## 2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 84.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =	
TOTAL:				(\$)
SMALL ENTITY DISCOUNT:				(\$)
SUBTOTAL (2)				(\$) <u>0.00</u>

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1440	720	Extension for reply within fourth month	
1960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
740	370	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$)

SUBTOTAL (1) 370.00

SUBTOTAL (2) 0.00

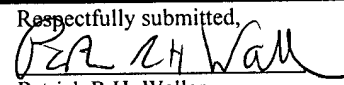
SUBTOTAL (3) 0.00

TOTAL (\$)

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## SIGNATURE BLOCK

Respectfully submitted,  
  
 Patrick R.H. Wall  
 Agent for the Applicants  
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EXPRESS MAIL LABEL NO. EV 012823698 US

PATENT  
Attorney Docket No. EXT-070C1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Weir et al.

SERIAL NO.: Not Yet Assigned GROUP NO.: Not Yet Assigned

FILING DATE: Herewith EXAMINER: Not Yet Assigned

TITLE: Purification Devices Comprising Immobilized Capture Probes and  
Uses Therefor

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

**SUBMISSION OF PAPER COPY AND/OR COMPUTER READABLE COPY  
OF SEQUENCE LISTING FOR INVENTION  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE**

Sir:

1. ☐ This replies to the Patent Office Letter dated

Note: If these papers are filed before the office letter issues adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

- ☐ A copy of the Patent Office Letter is enclosed.

2. Submitted herewith is/are  
(check each item as applicable)

- A. ☒ a paper copy of the Sequence Listing for this application with each sequence assigned a separate identifier; and
- B. ☐ a CD of the Sequence Listing for this application with each sequence assigned a separate identifier; and
- C. ☒ a copy, in computer readable form, of the Sequence Listing for this application.

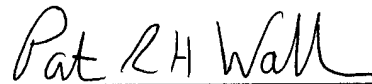
### STATEMENT

3. I hereby state that:

(complete applicable items A, B and/or C)

- A. ☒ the content of the paper and computer readable copy submitted herewith are the same; and
- B. ☐ the content of the CD and computer readable copy submitted herewith are the same; and
- C. ☐ the content of the computer readable copy submitted herewith is the same as the Sequence Listing appearing on pages \_\_ to \_\_ of the original specification as filed; and
- D. ☒ this submission includes no new matter.

Respectfully submitted,



Patrick R.H. Waller  
Agent for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
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Date: December 6, 2001  
Reg. No. 41,418

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2236514-1

2001 DEC 6 10 10 AM

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

12/21/2001 EHAILE1 00000065 10021237

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